

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

|                                     |   |                            |
|-------------------------------------|---|----------------------------|
| Marie Therese H. Assa'ad-Faltas,    | ) |                            |
|                                     | ) |                            |
| Plaintiff,                          | ) |                            |
|                                     | ) |                            |
| v.                                  | ) | Case No. 3:15-cv-03186-TLW |
|                                     | ) |                            |
| Sarah Heather Savitz Weiss, et al., | ) |                            |
|                                     | ) |                            |
| Defendants.                         | ) |                            |
|                                     | ) |                            |

**ORDER**

Plaintiff Marie Assa'ad-Faltas, proceeding pro se and in forma pauperis, filed this civil action pursuant to 42 U.S.C. § 1983 on August 12, 2015. (ECF No. 1). This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Jacquelyn D. Austin, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). (ECF No. 14). In the Report, the Magistrate Judge recommends that this Court dismiss this action without prejudice and without issuance and service of process. (*Id.*). Plaintiff filed preliminary objections to the Report on September 10, 2015, (ECF No. 16), and supplemental objections on September 11, 2015, (ECF No. 19). Also before the Court is Plaintiff’s Motion for Extension of Time to Supplement Objections, filed on September 10, 2015. (ECF No. 17).

Section 636(b) of Title 28 of the United States Code states that “[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to [the magistrate judge’s] proposed findings and recommendations as provided by rules of court.” (emphasis added). More than twenty days have now passed since the Magistrate Judge issued her Report,

and the Plaintiff has already filed two sets of objections, totaling 58 pages. (See ECF Nos. 16, 19). The Court finds that Plaintiff has not set forth compelling circumstances sufficient to warrant an extension of time in which to file additional supplemental objections. Plaintiff's motion for an extension of time (ECF No. 17) is denied, and the Magistrate Judge's Report is now ripe for review.

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has carefully reviewed the Report and the Plaintiff's objections and supplemental objections and concludes that the Magistrate Judge accurately summarizes the case and the applicable law. Accordingly, it is hereby **ORDERED** that the Report and Recommendation (ECF No. 14) is **ACCEPTED**, and the Plaintiff's objections and supplemental objections (ECF Nos. 16, 19) are **OVERRULED**. For the reasons articulated by the Magistrate Judge, the Complaint is **DISMISSED** without prejudice

and without issuance and service of process. Plaintiff's motion for an extension of time (ECF No. 17) is **DENIED**.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Chief United States District Judge

September 16, 2015  
Columbia, South Carolina